

# **EXHIBIT 1**

**From:** [Roopal Luhana](#)  
**To:** [Gromada, Veronica G. \(SHB\)](#)  
**Cc:** [Shortnacy, Michael \(SHB\)](#); [Oot, Patrick L. \(SHB\)](#); [Gutshall, Brandon K. \(SHB\)](#); [Sarah London](#); [Smith, Kyle](#); [Hooper, Bobbie \(SHB\)](#); [Phillips, Jessica E](#); [Rachel Abrams](#); [Cummings, Dan \(SHB\)](#); [Wikler, Jeremy \(SHB\)](#); [Haider, Jay B. \(SHB\)](#); [Marlene Goldenberg](#); [Tiffany Ellis](#); [Beth Wilkins](#); [Roopal Luhana](#)  
**Subject:** Re: Uber MT - Extension on MDL Written Discovery  
**Date:** Tuesday, April 16, 2024 9:32:34 PM  
**Attachments:** [Ps" Proposal UBER MDL DRAFT DISCOVERY SCHEDULE.docx](#)

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Thank you Veronica for your email and Defendants' Counter-Proposal to Plaintiffs' original milestones. We agree to:

1. Reschedule the discovery status conference to May 9 and will reach out to Judge Cisneros' Clerk to coordinate scheduling.
2. Provide Defendants until May 29, 2024 to respond to Plaintiffs' First RFPs (served on Feb. 28) and First Set of RFAs and Interrogatories (served on March 27), contingent on Defendants producing documents and substantively meeting the attached milestones.

Unfortunately, we cannot agree to extend the schedule beyond that as you're now proposing.

As you are aware, Plaintiffs circulated discovery milestones to Defendants on March 26 (over 3 weeks ago) to help move the process forward to facilitate discovery. However, Defendants' attempt to meet the first milestone, e.g., to produce a list of proposed custodians, is unhelpful. Defendants merely chose to reproduce a subset of 26 custodians counsel in the JCCP had previously compiled and punted to produce the second portion of the milestone to a later time. Defendants have yet to compile their own list of proposed custodians with relevant discovery. In fact, in Defendants' Rule 26 Disclosures, Uber merely identified 2 unique custodians out of the 12 custodians identified (10 custodians were previously identified by counsel in the JCCP). The JCCP Litigation has been pending for over 2 years and it's been over six (6) months since this MDL has been pending. Moreover, thousands of litigation holds were placed by Uber in November 2023 related to this MDL. Defendants have had ample opportunity to assess which employees have relevant discovery and we implore you to produce that list to us immediately. Moreover, we believe the deadline Judge Breyer established in PTO No. 5 for Defendants to substantially complete discovery responsive to Plaintiffs' First Set of RFPs should remain.

Lastly, we are reviewing the fact sheet deadlines you have proposed and conferring with our team. We will have a response to you by the end of the week.

Please let us know if you're available to discuss these milestones tomorrow. Look forward to hearing from you.

Best,  
Roopal

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**From:** Gromada, Veronica G. (SHB) <vgromada@shb.com>

**Sent:** Friday, April 12, 2024 4:22 PM

**To:** Roopal Luhana <Luhana@chaffinluhana.com>

**Cc:** Shortnacy, Michael (SHB) <mshortnacy@shb.com>; Oot, Patrick L. (SHB) <OOT@shb.com>; Gutshall, Brandon K. (SHB) <BGUTSHALL@shb.com>; Sarah London <slondon@lchb.com>; Smith, Kyle <ksmith@paulweiss.com>; Hooper, Bobbie (SHB) <bhooper@shb.com>; Phillips, Jessica E <jphillips@paulweiss.com>; Rachel Abrams <rabrams@peifferwolf.com>; Cummings, Dan (SHB) <decummings@shb.com>; Wikler, Jeremy (SHB) <JWIKLER@shb.com>; Haider, Jay B. (SHB) <jhaider@shb.com>; Marlene Goldenberg <mgoldenbergl@nighgoldenbergl.com>

**Subject:** Uber MT - Extension on MDL Written Discovery

Roopal,

Thank you for your patience. As a continuation of conferrals, below are updates on our proposals concerning the Deposition Protocol and April 24 Case Management Conference, Discovery Schedule with milestone dates, custodian information, and Fact Sheet deadlines.

### **Deposition Protocol and April 24 CMC**

First, we would like to respond to your April 8 email concerning the Court's Order Regarding Deposition Protocol and the court ordered discovery status conference on April 24 at 10am. Per your request, we agree to stipulate to a later date with the proposed milestones and related discussions in mind. However, as a part of the other items of agreement, we agree to push this discovery status conference back to May 9 instead of May 2, due to scheduling conflicts on May 2.

### **Discovery Schedule with Milestones**

Concerning written discovery, attached please see the proposed MDL Discovery Schedule with milestone dates for Plaintiffs' Requests for Production, Requests for Admissions, and Interrogatories. (See attached.) Upon presenting the court with our stipulation to move the discovery meet and discovery status conference, we also propose presenting a stipulation to move the final production date to September 16 instead of September 1, which is Labor Day weekend. This allows the parties additional time to work through any outstanding discovery leading up to the final production.

### **Custodian Information**

As for custodians, we understand Brian Abramson, a JCCP Plaintiffs' lawyer, who is also on the MDL, prepared the list of 143 custodians and has gathered details about their titles. Below is a proposed list of custodians for the MDL discovery searches. These are the 26 priority custodians from the JCCP.

	<b>Custodian</b>	<b>Title</b>
1	Akamine, Mike	Director, Product Management
2	Anthony, Brittany	Public Policy Manager, Safety
3	Baker, Matthew	Sr. Program Leader - Safety Support
4	Boman, Emilie	Director, Public Policy
5	Breeden, Tracey	Lead, Program Management
6	Brown, Greg	Regional Director, Safety - US&C

7	Cardenas, Philip	Head of Safety
8	Cinelli, Dennis	VP, Operations
9	Freivogel, Cory	Head of Platform Safety, US&C
10	Fuldner, Gus	Sr Vice President, Core Services
11	Hazelbaker, Jill	SVP, Marketing and Public Affairs
12	Holt, Rachel	VP & Head of New Mobility
13	Irving, Camiel	VP, Operations
14	Kaiser, Roger	Senior Director, Global Head of Safety Operations
15	Kalanick, Travis	Founder, CEO, Board Member
16	Khosrowshahi, Dara	Chief Executive Officer
17	Madsen, Alex	Head of Interpersonal Safety
18	McDonald, Katherine	Director, Data Science, Tech
19	Page, Jodi Kawada	Director, Chief of Staff to Chief Legal Officer
20	Parker, Kate	Director, Safety Marketing
21	Pimentel, Andi	Sr Product Manager, Tech
22	Richeter-Eason, Emily	Sr Program Leader, Comm Ops
23	Sheridan, Danielle	Senior Director, Global Memberships
24	Stevenson, Troy	Global Head of Community Operations
25	Lake, Carley	Marketing Manager
26	Silver, Nick	Director, Head of US&C Mobility Marketing

Upon agreement to the Discovery Schedule, we will supplement with the additional custodian information (i.e. dates in role, legal hold information) and non-custodial information that can be produced without search terms.

### **Fact Sheet Deadlines**

Finally, we also propose mutual extensions for Fact Sheets (including those due in late April). Specifically, we propose mutual extensions as follow:

- May 31 - Fact Sheet deadline for cases pending in the MDL on or before March 26 (the current 60-day deadline falls on Memorial Day weekend).
- May 31 - Fact Sheet deadline for the cases filed between March 27 and April 30.
- July 1 - Fact Sheet deadline for the cases filed between May 1 and May 31.
- July 31 - Fact Sheet deadline for the cases filed between June 1 and June 30.

Following the above pattern, Fact Sheet deadlines for cases filed in a given month would be the last day of the next month, or if the last day of the month falls on a weekend or holiday, the Fact Sheets will be do the business day thereafter.

If we do not negotiate the Fact Sheet extension, some Fact Sheets will be due later this month. (See examples below). The proposed approach better positions the parties to manage Fact Sheet deadlines.

Case	Filed	PTO 5 Ride Information Due	PTO 5 Ride Information Rec'd	PFS Due (30 Days After MDL Filing/Entry)	DFS Due (30 Days After Service of PTO 5
------	-------	----------------------------	------------------------------	--	---

					Information)
Brandon "Selena" Ortego	3/28/2024	4/11/2024	3/29/2024	Sat 4/27	Sun 4/28
A.G. (2)	3/28/2024	4/11/2024	3/29/2024	Sat 4/27	Sun 4/28
K.S. (2)	3/28/2024	4/11/2024	3/29/2024	Sat 4/27	Sun 4/28
B.C.	3/28/2024	4/11/2024	4/1/2024	Sat 4/27	5/1
S.M.	3/28/2024	4/11/2024	#N/A	Sat 4/27	TBD
Holly Pedreira	3/28/2024	4/11/2024	4/1/2024	Sat 4/27	5/1
A.S.	3/28/2024	4/11/2024	4/2/2024	Sat 4/27	5/2

We're happy to confer further via email or telephone.

**Veronica G. Gromada**

*Partner*

Shook, Hardy & Bacon L.L.P.

713-546-5683 | [vgromada@shb.com](mailto:vgromada@shb.com)



**From:** Gromada, Veronica G. (SHB)

**Sent:** Thursday, April 11, 2024 7:41 PM

**To:** Roopal Luhana <luhana@chaffinluhana.com>

**Cc:** Shortnacy, Michael (SHB) <mshortnacy@shb.com>; Oot, Patrick L. (SHB) <OOT@shb.com>; Gutshall, Brandon K. (SHB) <BGUTSHALL@shb.com>; London, Sarah R. <slondon@lchb.com>; Smith, Kyle <ksmith@paulweiss.com>; Hooper, Bobbie (SHB) <bhooper@shb.com>; Phillips, Jessica E <jphillips@paulweiss.com>; Rachel Abrams <rabrams@peifferwolf.com>; Cummings, Dan (SHB) <decummings@shb.com>; Wikler, Jeremy (SHB) <JWIKLER@shb.com>; Haider, Jay B. (SHB) <jhaider@shb.com>; mgoldenberg@nighgoldenber.com

**Subject:** Uber MT - Extension on MDL Written Discovery

Hi, Roopal.

Sorry for the delay. We are waiting on the final client approval. Hoping to have that tomorrow.

**Veronica G. Gromada**

*Partner*

Shook, Hardy & Bacon L.L.P.

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**From:** Roopal Luhana <[Luhana@chaffinluhana.com](mailto:Luhana@chaffinluhana.com)>

**Sent:** Thursday, April 11, 2024 11:10:47 AM

**To:** Roopal Luhana <[Luhana@chaffinluhana.com](mailto:Luhana@chaffinluhana.com)>

**Cc:** Shortnacy, Michael (SHB) <[mshortnacy@shb.com](mailto:mshortnacy@shb.com)>; Oot, Patrick L. (SHB) <[OOT@shb.com](mailto:OOT@shb.com)>; Sarah London <[slondon@lchb.com](mailto:slondon@lchb.com)>; Smith, Kyle <[ksmith@paulweiss.com](mailto:ksmith@paulweiss.com)>; Hooper, Bobbie (SHB) <[bhooper@shb.com](mailto:bhooper@shb.com)>; Phillips, Jessica E <[jphillips@paulweiss.com](mailto:jphillips@paulweiss.com)>; Rachel Abrams <[rabrams@peifferwolf.com](mailto:rabrams@peifferwolf.com)>; Cummings, Dan (SHB) <[decummings@shb.com](mailto:decummings@shb.com)>; Wikler, Jeremy (SHB) <[JWIKLER@shb.com](mailto:JWIKLER@shb.com)>; Haider, Jay B. (SHB) <[jhaider@shb.com](mailto:jhaider@shb.com)>; Roopal Luhana <[Luhana@chaffinluhana.com](mailto:Luhana@chaffinluhana.com)>; Marlene Goldenberg <[mgoldenberg@nighgoldenberglaw.com](mailto:mgoldenberg@nighgoldenberglaw.com)>

**Subject:** Re: [EXT] RE: Uber MT - Extension on MDL Written Discovery

**EXTERNAL**

Michael, Patrick and team, we're following-up on below as we did not receive these items from you yesterday as you had represented. As you are aware, the extension on discovery is contingent on Defendants agreeing to the milestones to help facilitate discovery and the deadlines set forth in PTO No. 5. Can you please let us know where this stands?

Best,  
Roopal

On Apr 5, 2024, at 8:42 PM, Roopal Luhana <[luhana@chaffinluhana.com](mailto:luhana@chaffinluhana.com)> wrote:

Thank you for your e-mail and the call. As represented, we look forward to receiving the following from Defendants by Wednesday:

1. identity of relevant custodians with an explanation of how the initial JCCP list of 143 custodians was identified
2. agreement on the milestones Plaintiffs provided on March 26 (with minor revisions to the dates that have already passed)

As we discussed, we assume the list of relevant custodians would be greater than 143 especially in light of the fact that over 5000 litigation holds were placed for this matter. Moreover, our milestones detailed additional information re custodial/non-custodial sources we requested including providing all job titles and dates for which the custodian held that title, as well as the date(s) for any litigation holds; provide a list of non-custodial files that can be produced without the use of search terms and a date certain for production.

Additionally, we discussed Defendants also addressing the below milestone:

Uber shall (1) serve any objections to RFPs that would result in the withholding of large portions of documents (i.e., objections that would be made to multiple RFPs); (2) identify any RFPs that objects to into their

entirety; (3) identify any RFPs that are fully covered by documents already produced in the JCCP and provide a date certain for producing those documents to Plaintiffs.

As Plaintiffs have expressed, we are happy to provide Defendants with an extension on the RFPs but it is contingent upon agreement on the milestones.

Lastly, while we agreed to hold in abeyance the previously agreed to extension until April 5 for the RFPs, we did not discuss response dates for the ROGs and RFAs.

We look forward to receiving your responses on Wednesday.

Best,  
Roopal

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**From:** Shortnacy, Michael (SHB) <[mshortnacy@shb.com](mailto:mshortnacy@shb.com)>  
**Sent:** Friday, April 5, 2024 1:16 AM  
**To:** Oot, Patrick L. (SHB) <[OOT@shb.com](mailto:OOT@shb.com)>; Roopal Luhana <[Luhana@chaffinluhana.com](mailto:Luhana@chaffinluhana.com)>; Sarah London <[slondon@lchb.com](mailto:slondon@lchb.com)>  
**Cc:** Smith, Kyle <[ksmith@paulweiss.com](mailto:ksmith@paulweiss.com)>; Hooper, Bobbie (SHB) <[bhooper@shb.com](mailto:bhooper@shb.com)>; Phillips, Jessica E <[jphillips@paulweiss.com](mailto:jphillips@paulweiss.com)>; Rachel Abrams <[rabrams@peifferwolf.com](mailto:rabrams@peifferwolf.com)>; Cummings, Dan (SHB) <[decummings@shb.com](mailto:decummings@shb.com)>; Wikler, Jeremy (SHB) <[JWIKLER@shb.com](mailto:JWIKLER@shb.com)>; Haider, Jay B. (SHB) <[jhaider@shb.com](mailto:jhaider@shb.com)>  
**Subject:** RE: [EXT] RE: Uber MT - Extension on MDL Written Discovery

Roopal and team,

Thank you for your time today on the M&C, and for agreeing to hold in abeyance the previously agreed extension to April 5 for Uber's RFP responses, as well as the response dates for the ROGs and RFAs. With agreement from Plaintiffs, Uber will not be responding and objecting to the RFPs tomorrow. We will provide you next Wednesday information we discussed to facilitate further discussion on custodians. And the parties will continue to discuss the appropriate discovery priorities and milestones.

Thank you,

Michael

**Michael B. Shortnacy**  
*Partner*  
[mshortnacy@shb.com](mailto:mshortnacy@shb.com) | T: 424-324-3494 | M: 917-723-6805

---

**From:** Oot, Patrick L. (SHB) <[OOT@shb.com](mailto:OOT@shb.com)>  
**Sent:** Wednesday, April 3, 2024 6:07 AM

**To:** Roopal Luhana <[Luhana@chaffinluhana.com](mailto:Luhana@chaffinluhana.com)>; Sarah London <[slondon@lchb.com](mailto:slondon@lchb.com)>  
**Cc:** Shortnacy, Michael (SHB) <[mshortnacy@shb.com](mailto:mshortnacy@shb.com)>; Smith, Kyle <[ksmith@paulweiss.com](mailto:ksmith@paulweiss.com)>; Hooper, Bobbie (SHB) <[bhooper@shb.com](mailto:bhooper@shb.com)>; Phillips, Jessica E <[jphillips@paulweiss.com](mailto:jphillips@paulweiss.com)>; Rachel Abrams <[rabrams@peifferwolf.com](mailto:rabrams@peifferwolf.com)>; Cummings, Dan (SHB) <[decummings@shb.com](mailto:decummings@shb.com)>; Wikler, Jeremy (SHB) <[JWIKLER@shb.com](mailto:JWIKLER@shb.com)>  
**Subject:** RE: [EXT] RE: Uber MT - Extension on MDL Written Discovery

Hi Roopal. I sent a placeholder while I confirm with others so not to lose the time. Will follow-up.

**Patrick Oot**

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**From:** Roopal Luhana <[Luhana@chaffinluhana.com](mailto:Luhana@chaffinluhana.com)>  
**Sent:** Tuesday, April 2, 2024 8:56 PM  
**To:** Oot, Patrick L. (SHB) <[OOT@shb.com](mailto:OOT@shb.com)>; Sarah London <[slondon@lchb.com](mailto:slondon@lchb.com)>  
**Cc:** Shortnacy, Michael (SHB) <[mshortnacy@shb.com](mailto:mshortnacy@shb.com)>; Smith, Kyle <[ksmith@paulweiss.com](mailto:ksmith@paulweiss.com)>; Hooper, Bobbie (SHB) <[bhooper@shb.com](mailto:bhooper@shb.com)>; Phillips, Jessica E <[jphillips@paulweiss.com](mailto:jphillips@paulweiss.com)>; Rachel Abrams <[rabrams@peifferwolf.com](mailto:rabrams@peifferwolf.com)>; Cummings, Dan (SHB) <[decummings@shb.com](mailto:decummings@shb.com)>; Wikler, Jeremy (SHB) <[JWIKLER@shb.com](mailto:JWIKLER@shb.com)>; Roopal Luhana <[Luhana@chaffinluhana.com](mailto:Luhana@chaffinluhana.com)>  
**Subject:** Re: [EXT] RE: Uber MT - Extension on MDL Written Discovery

**EXTERNAL**

Hi Patrick, does any time between 3:30pm - 5:30pm ET Thursday work for you to chat about discovery and milestones?

Best,  
Roopal

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**From:** Oot, Patrick L. (SHB) <[OOT@shb.com](mailto:OOT@shb.com)>  
**Sent:** Friday, March 29, 2024 4:33 PM  
**To:** Sarah London <[slondon@lchb.com](mailto:slondon@lchb.com)>  
**Cc:** Roopal Luhana <[Luhana@chaffinluhana.com](mailto:Luhana@chaffinluhana.com)>; Shortnacy, Michael (SHB) <[mshortnacy@shb.com](mailto:mshortnacy@shb.com)>; Smith, Kyle <[ksmith@paulweiss.com](mailto:ksmith@paulweiss.com)>; Hooper, Bobbie (SHB) <[bhooper@shb.com](mailto:bhooper@shb.com)>; Phillips, Jessica E <[jphillips@paulweiss.com](mailto:jphillips@paulweiss.com)>; Rachel Abrams <[rabrams@peifferwolf.com](mailto:rabrams@peifferwolf.com)>; Cummings, Dan (SHB) <[decummings@shb.com](mailto:decummings@shb.com)>; Wikler, Jeremy (SHB) <[JWIKLER@shb.com](mailto:JWIKLER@shb.com)>  
**Subject:** RE: [EXT] RE: Uber MT - Extension on MDL Written Discovery

Hi Sarah.

Nice seeing you on the call today. I shared the proposed schedule with Uber earlier this



week. They are evaluating. We may need to get back with our teams and huddle to consider Judge Breyer's directive from today's conference.

Perhaps we can catch up next week on follow-up steps after we have had some time to digest the transcript.

Best,

Patrick

Patrick Oot  
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AND/OR ATTORNEY-CLIENT PRIVILEGE INFORMATION OF RETAINED  
OUTSIDE COUNSEL

-----Original Message-----

From: London, Sarah R. <[slondon@lchb.com](mailto:slondon@lchb.com)>

Sent: Tuesday, March 26, 2024 5:51 PM

To: Oot, Patrick L. (SHB) <[OOT@shb.com](mailto:OOT@shb.com)>

Cc: Roopal Luhana <[Luhana@chaffinluhana.com](mailto:Luhana@chaffinluhana.com)>; Shortnacy, Michael (SHB) <[mshortnacy@shb.com](mailto:mshortnacy@shb.com)>; Smith, Kyle <[ksmith@paulweiss.com](mailto:ksmith@paulweiss.com)>; Hooper, Bobbie (SHB) <[bhooper@shb.com](mailto:bhooper@shb.com)>; Phillips, Jessica E <[jphillips@paulweiss.com](mailto:jphillips@paulweiss.com)>; Rachel Abrams <[rabrams@peifferwolf.com](mailto:rabrams@peifferwolf.com)>; Cummings, Dan (SHB) <[decummings@shb.com](mailto:decummings@shb.com)>

Subject: Re: [EXT] RE: Uber MT - Extension on MDL Written Discovery

EXTERNAL

Hi, just to be clear, we agreed to a week extension while we sort this out (since you said the person at Uber responsible for handling discovery was out this week). We are not (yet) agreeing to extend any deadlines 30 days without milestones, but do not anticipate that being a problem given your expressed willingness to work cooperatively on them.

To that end please send any counter offer promptly, as we have proposed some milestones by the end of this week to keep things moving.

On Mar 26, 2024, at 1:53 PM, Oot, Patrick L. (SHB) <[OOT@shb.com](mailto:OOT@shb.com)> wrote:

Hi Sarah.

Thanks for the call and for this chart outlining plaintiffs' proposal. So that I properly present this to Uber, am I correct that the "deal" on this is:

- Plaintiffs will not hold defendants up on Friday's deadline. At minimum, we seem aligned on a 30 day extension with a further discussion on the dates in your chart to result in the extension to May 29th.
- o Uber may counter-offer milestone dates in your outline based on Uber team out of office schedules, etc.
- To map this out, key principles of your proposal include:
  - o An agreement for set deadlines to negotiate custodians and keywords
  - o Identify areas of discovery Uber intends to categorically object to and a near-term point for bringing that objection before the Court if we do not reach agreement.

Let us know if we have this right and I will run it by the client. I appreciate this and ideally an agreed plan will forego motion practice on a scheduling issue filed before a CMC with Judge Breyer.

Best,

Patrick

Patrick Oot  
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AND/OR ATTORNEY-CLIENT PRIVILEGE INFORMATION OF RETAINED  
OUTSIDE COUNSEL

From: London, Sarah R. <[slondon@lchb.com](mailto:slondon@lchb.com)>  
Sent: Tuesday, March 26, 2024 4:33 PM  
To: Oot, Patrick L. (SHB) <[OOT@shb.com](mailto:OOT@shb.com)>  
Cc: Roopal Luhana <[Luhana@chaffinluhana.com](mailto:Luhana@chaffinluhana.com)>; Shortnacy, Michael (SHB) <[mshortnacy@shb.com](mailto:mshortnacy@shb.com)>; Smith, Kyle <[ksmith@paulweiss.com](mailto:ksmith@paulweiss.com)>; Hooper, Bobbie (SHB) <[bhooper@shb.com](mailto:bhooper@shb.com)>; Phillips, Jessica E <[jphillips@paulweiss.com](mailto:jphillips@paulweiss.com)>; Rachel Abrams <[rabrams@peifferwolf.com](mailto:rabrams@peifferwolf.com)>; Cummings, Dan (SHB) <[decummings@shb.com](mailto:decummings@shb.com)>  
Subject: RE: [EXT] RE: Uber MT - Extension on MDL Written Discovery

EXTERNAL

Hi all,

Per our discussion today, we are willing to work with you on an extension, so long as there are sufficient milestones in place to prevent delay and advance the litigation. We appreciate that you expressed willingness to work cooperatively on developing milestones, and that you recognized we can make progress on resolving disputes while Uber is preparing its responses.

To that end, we have prepared the below list of proposed milestones for your consideration.

1

March 29, 2024

Uber shall provide (1) a list of proposed custodians. For each custodian, Uber shall provide all job titles and dates for which the custodian held that title, as well as the date(s) for any litigation holds; (2) provide a list of non-custodial files that can be produced without the use of search terms and a date certain for production.

2

April 2, 2024

Meet and confer re: Uber's proposed list of custodians and production of non-custodial files.

3

April 5, 2024:

Uber shall (1) serve any objections to RFPs that would result in the withholding of large portions of documents (i.e., objections that would be made to multiple RFPs); (2) identify any RFPs that objects to into their entirety; (3) identify any RFPs that are fully covered by documents already produced in the JCCP and provide a date certain for producing those documents to Plaintiffs.

Plaintiffs will submit a proposed list of initial custodians. Uber shall respond by April 12 as to whether they will produce documents for those custodians.

Additionally, the parties will exchange their proposed search terms.

4

April 9, 2024

Plaintiffs will provide a proposed schedule for responding to RFPs which will identify RFPs to respond to by either April 29, 2024 or May 29, 2024.

5

April 10, 2024

Meet and confer re: Uber's objections to RFPs, production of JCCP documents, Plaintiffs' proposed schedule for RFP responses, and search terms.

6

April 12, 2024

Uber shall identify the custodians for which Uber will produce documents.

7

April 19, 2024

Meet and confer regarding search terms, custodians, and responses to RFPs.

8

April 29, 2024

Final meet and confer regarding search terms, custodians, and responses to RFPs.

9

April 29, 2024

Uber to shall serve responses and make a production of documents pursuant to Plaintiffs' April 9 proposal and the parties' April 10 and April 19 discussions.

10

May 1, 2024

The parties will submit any dispute over search terms or custodians to the Court.

11

May 5, 2024

Uber shall serve any and all objections to RFPs.

12

May 29, 2024

Uber shall complete production of documents responsive to RFPs, subject to the Courts' resolution of search terms and custodian disputes submitted on May 1.

My afternoon is tight, but I can speak again today briefly at 2:45 pacific or in the

morning.

<image001.gif>

Sarah R. London  
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<http://www.lieffcabraser.com/><<https://www.lieffcabraser.com/>>

-----Original Message-----

From: Oot, Patrick L. (SHB) <[OOT@shb.com](mailto:OOT@shb.com)<<mailto:OOT@shb.com>>>  
Sent: Tuesday, March 26, 2024 7:28 AM  
To: London, Sarah R. <[slondon@lchb.com](mailto:slondon@lchb.com)<<mailto:slondon@lchb.com>>>  
Cc: Roopal Luhana  
<[Luhana@chaffinluhana.com](mailto:Luhana@chaffinluhana.com)<<mailto:Luhana@chaffinluhana.com>>>; Shortnacy,  
Michael (SHB) <[mshortnacy@shb.com](mailto:mshortnacy@shb.com)<<mailto:mshortnacy@shb.com>>>; Smith, Kyle  
<[ksmith@paulweiss.com](mailto:ksmith@paulweiss.com)<<mailto:ksmith@paulweiss.com>>>; Hooper, Bobbie (SHB)  
<[bhooper@shb.com](mailto:bhooper@shb.com)<<mailto:bhooper@shb.com>>>; Phillips, Jessica E  
<[jphillips@paulweiss.com](mailto:jphillips@paulweiss.com)<<mailto:jphillips@paulweiss.com>>>; Rachel Abrams  
<[rabrams@peifferwolf.com](mailto:rabrams@peifferwolf.com)<<mailto:rabrams@peifferwolf.com>>>; Cummings, Dan  
(SHB) <[decummings@shb.com](mailto:decummings@shb.com)<<mailto:decummings@shb.com>>>  
Subject: RE: [EXT] RE: Uber MT - Extension on MDL Written Discovery

Good morning Sarah.

If 9am still works, that's okay here.

Dan and I can join for Uber. Shall I send a Zoom.

Best,

Patrick

Patrick Oot

Shook, Hardy & Bacon L.L.P.

1800 K Street NW – 10th Floor

Washington, DC 20006

p: 202.639.5645 | oot@shb.com<<mailto:oot@shb.com>>

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AND/OR ATTORNEY-CLIENT PRIVILEGE INFORMATION OF RETAINED  
OUTSIDE COUNSEL

-----Original Message-----

From: London, Sarah R. <[slondon@lchb.com](mailto:slondon@lchb.com)<<mailto:slondon@lchb.com>>>

Sent: Tuesday, March 26, 2024 12:12 AM

To: Oot, Patrick L. (SHB) <[OOT@shb.com](mailto:OOT@shb.com)<<mailto:OOT@shb.com>>>

Cc: Roopal Luhana

<[Luhana@chaffinluhana.com](mailto:Luhana@chaffinluhana.com)<<mailto:Luhana@chaffinluhana.com>>>; Shortnacy,  
Michael (SHB) <[mshortnacy@shb.com](mailto:mshortnacy@shb.com)<<mailto:mshortnacy@shb.com>>>; Smith, Kyle  
<[ksmith@paulweiss.com](mailto:ksmith@paulweiss.com)<<mailto:ksmith@paulweiss.com>>>; Hooper, Bobbie (SHB)  
<[bhooper@shb.com](mailto:bhooper@shb.com)<<mailto:bhooper@shb.com>>>; Phillips, Jessica E  
<[jphillips@paulweiss.com](mailto:jphillips@paulweiss.com)<<mailto:jphillips@paulweiss.com>>>; Rachel Abrams  
<[rabrams@peifferwolf.com](mailto:rabrams@peifferwolf.com)<<mailto:rabrams@peifferwolf.com>>>

Subject: RE: [EXT] RE: Uber MT - Extension on MDL Written Discovery

EXTERNAL

Sure, here are a few windows in PT:

9, 10:30, and between 3 and 4.

-----Original Message-----

From: Oot, Patrick L. (SHB) <[OOT@shb.com](mailto:OOT@shb.com)<<mailto:OOT@shb.com>>>

Sent: Monday, March 25, 2024 5:18 PM

To: London, Sarah R. <[slondon@lchb.com](mailto:slondon@lchb.com)<<mailto:slondon@lchb.com>>>

Cc: Roopal Luhana

<[Luhana@chaffinluhana.com](mailto:Luhana@chaffinluhana.com)<<mailto:Luhana@chaffinluhana.com>>>; Shortnacy, Michael (SHB) <[mshortnacy@shb.com](mailto:mshortnacy@shb.com)<<mailto:mshortnacy@shb.com>>>; Smith, Kyle <[ksmith@paulweiss.com](mailto:ksmith@paulweiss.com)<<mailto:ksmith@paulweiss.com>>>; Hooper, Bobbie (SHB) <[bhooper@shb.com](mailto:bhooper@shb.com)<<mailto:bhooper@shb.com>>>; Phillips, Jessica E <[jphillips@paulweiss.com](mailto:jphillips@paulweiss.com)<<mailto:jphillips@paulweiss.com>>>; Rachel Abrams <[rabrams@peifferwolf.com](mailto:rabrams@peifferwolf.com)<<mailto:rabrams@peifferwolf.com>>>

Subject: Re: [EXT] RE: Uber MT - Extension on MDL Written Discovery

Hi Sarah.

Thanks for your message. Would you please provide times tomorrow. Two hours notice is difficult.

Patrick Oot

202.639.5645

On Mar 25, 2024, at 5:21 PM, London, Sarah R.

<[slondon@lchb.com](mailto:slondon@lchb.com)<<mailto:slondon@lchb.com>>> wrote:

EXTERNAL

Hi Patrick, we are available for a call today at 4:30 pacific.

On Mar 22, 2024, at 4:05 PM, Oot, Patrick L. (SHB)

<[OOT@shb.com](mailto:OOT@shb.com)<<mailto:OOT@shb.com>>> wrote:

Hi Roopal.

Thanks for getting back to me quickly.

We appreciate the 30 days, but from the feedback I am getting from the client and drafting team, they really need until May 29th – the volume is significant – even for this MDL. We understand the urgency but also must balance it against the pragmatic limitations of researching the supporting information with core employees for hundreds of requests combined with the hundreds already in production.

We are happy to work with you on other milestones of course – and under the proposed coordination order you will receive the JCCP written discovery.

If a quick one on one call would be helpful, we can catch up over the weekend or on Monday. Ideally, we don't need to seek relief from the court for the extra time, because writing that motion will distract from progress in other areas.

Let us know.

Have a nice weekend.

Best,

Patrick

Patrick Oot

Shook, Hardy & Bacon L.L.P.

1800 K Street NW - Suite 1000





On Mar 22, 2024, at 6:00 PM, Oot, Patrick L. (SHB)

[<OOT@shb.com<mailto:OOT@shb.com<mailto:OOT@shb.com%3cmmailto:OOT@shb.com>>>](mailto:OOT@shb.com)

wrote:

Hi Roopal and Sarah.

I hope all is well.

Would you please advise us by 10 am et Monday ET if we have an agreement on a Rule 4 extension of time to respond to the 200 written discovery requests by May 29th as outlined in the draft coordination order.

We understand from our meet and confer yesterday that we have some high level agreement to work out a larger schedule (custodians, keywords, etc.) like we have in other cases – but seek to ensure the written discovery timing is buttoned up as we discussed. Lots of e-mail traffic today, I apologize if I missed your message on it.

Otherwise, have a nice weekend.

Best,

Patrick

Patrick Oot

Shook, Hardy & Bacon L.L.P.

1800 K Street NW - Suite 1000

Washington, DC 20006

202.639.5645 |

[oot@shb.com<mailto:oot@shb.com<mailto:oot@shb.com%3cmmailto:oot@shb.com>>>](mailto:oot@shb.com)

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CONTAINING WORK PRODUCT AND/OR ATTORNEY-CLIENT PRIVILEGED  
COMMUNICATIONS FROM RETAINED OUTSIDE COUNSEL

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